

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

DENG K. LUAL,

Plaintiff,

VS.

GEORGIA-PACIFIC LLC,

Defendant.

Case No.

NOTICE OF REMOVAL

Defendant, Georgia-Pacific LLC (“GAPAC”) (improperly named as Georgia Pacific), hereby removes this action to this Court pursuant to 28 U.S.C. § 1441(a) and, in support thereof, states as follows:

1. Plaintiff filed his Civil Warrant on April 12, 2012, in the General Sessions Court, Shelby County, Tennessee, Civil Warrant No. 1551339, wherein Deng K. Lual is the sole *pro se* Plaintiff, and GAPAC is the sole named Defendant. GAPAC was served with the Civil Warrant by process server upon its registered agent on May 21, 2012. The Civil Warrant (with attachment) is the only process, pleading or order served upon GAPAC.

2. In the document affixed and filed contemporaneously with his Civil Warrant, Plaintiff alleges that GAPAC violated Title VII of the Civil Rights Act of 1964, for wrongfully terminating him on the basis of his national origin and for retaliating against him. (Exhibit A: Civil Warrant and attachment thereto). Accordingly, this claim arises under federal law, and this Court has both original and removal jurisdiction over Plaintiff's allegations.

3. This action is a civil action of which this Court has original jurisdiction under 28 U.S.C. § 1331, and GAPAC is entitled to remove this action pursuant to 28 U.S.C. § 1441(b).

4. This Notice of Removal is being filed within thirty (30) days after GAPAC's receipt of a copy of the Civil Warrant and is timely filed under 28 U.S.C. § 1446(b).

5. In accordance with 28 U.S.C. § 1446(d), GAPAC has filed with the clerk of the General Sessions Court for Shelby County, Tennessee a Notice of Filing of Notice of Removal and provided Plaintiff with a copy of same. (Exhibit B: Notice of Filing of Notice of Removal).

WHEREFORE, Defendant GAPAC removes this action from the General Sessions Court of Shelby County, Tennessee to this Court.

Respectfully submitted,

/s/Asia N. Diggs

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***ATTORNEYS FOR DEFENDANT,
GEORGIA-PACIFIC LLC***

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Removal has been served upon Deng K. Lual, 487 N. Highland, Apartment 26, Memphis, TN 38122, by U.S. Mail, postage prepaid and the court's ECF filing system this the 12th day of June 2012.

/s/Asia N. Diggs